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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,651	04/17/2000	Iqbal M. Dar	CNA-025	1377

7590 05/09/2003  
Ciena Corporation  
Legal Department  
1201 Winterson Road  
Linthicum, MD 21090

EXAMINER

BALI, VIKKRAM

ART UNIT PAPER NUMBER

2623

DATE MAILED: 05/09/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/550,651

Applicant(s)

DAR, IQBAL M.

Examiner

Vikram Bali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: the numerical 406 on page 5, line 19 and numerical 402 on page 6, line 4 is not defined in figures as mentioned in the specification.

Appropriate correction is required.

### ***Drawings***

2. The drawings are objected to because the numerical as shown in the specification for the figures 3a and figure 3b does not match with the drawings. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Csipkes et al (US 6122936).

With respect to claim 1, Csipkes discloses a camera for imaging the fiber, (see figure 2, numerical 160) and a motion system (see figure 3, numerical 420 a motor), as claimed. However, he fails to disclose the automated system that translate the fiber relative to the camera, as claimed. But, as disclose in col. 6, line 66 through col. 7, line 5 and col. 6, lines 39-41, it states that the motor helps to bring the fiber toward and away and this motor can be placed on the workstation see col. 8, lines 51-53. It would have been obvious to one ordinary skilled in the art at the time of invention to simply use the motor to translate the motion of the fiber in order to take the view of the fiber to inspect the fiber for the recoat (see figure 2, numerical 130f, RECORT INSPECTOR), this modification provides an apparatus that can be combined to the manufacturing process in order to inspect the fiber optics with in the manufacturing process thereby reducing the time and improving the yield.

With respect to claims 5-9, Csipkes further discloses the workstation table with the base, lines motor base plate and the alignment pins and the encoder, (see figure 3, and the discussion in col. 5, line 58 through col. 7, line 5, all the elements are disclosed as the metrology frame with the workstation 100, and the encoder is the Supervisory controller see figure 2, numerical 210) as claimed.

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With respect to claim 10, Csipkes fails to disclose the motor is a magnetic coil linear motor, as claimed. But, it is common knowledge for a motor to be a magnetic coil linear motor, therefore it would have been obvious to one ordinary skilled in the art to simply use the common knowledge of using the magnetic coil linear motor as the motion system to move the fiber optics during the inspection process.

5. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Csipkes et al (US 6122936) in view of Palmquist et al (US 5179419).

With respect to claim 2, Csipkes discloses the invention substantially as disclose and as described above in claim 1. However, he fails to disclose an autofocus for automatically adjusting the camera system, as claimed. Palmquist in detection of defects in the optical fiber faces discloses the autofocus for automatically adjusting the camera, (see col. 6, lines 49-52) as claimed. It would have been obvious to one ordinary skilled in the art at the time of invention to combine the two references as they are analogous because they are solving the similar problem of optical fiber inspection. The autofocus mechanism as controlled by the computer (see col. 6, lines 58-60 of Palmquist) can be put into the supervisory controller of Csipkes (see figure 2 numerical 210) and the modification will provide a sharpen images of the fiber (see col. 6, lines 62-63 of Palmquist).

With respect to claims 3 and 4, two cameras and the top camera take top and the bottom camera takes bottom image, (see col. 8, lines 5-8, the top and the bottom image as taken by imaging system) as claimed.

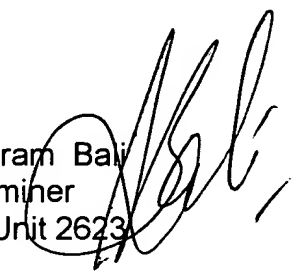
Claims 11-18 are rejected for the same reasons as set forth for the claims 1-10 as claims 11-18 are the method claims for the system as claimed in claims 1-10.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vikkram Bali whose telephone number is 703.305.4510. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703.308.6604. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9314 for regular communications and 703.872.9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.0377.

Vikkram Bali  
Examiner  
Art Unit 2623



vb  
May 7, 2003